

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #
DATE FILED: 2/11/2016

THE REPUBLIC OF KAZAKHSTAN,

Plaintiff,

-against-

DOES 1-100 INCLUSIVE,

Defendants.

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X

15 Civ. 1900 (ER)

**STIPULATED
PROTECTIVE ORDER**

It is hereby stipulated and agreed that the following terms and conditions shall apply to the deposition of Respublika, to be taken by Plaintiff The Republic of Kazakhstan, in London, UK on February 16, 2016 pursuant to Fed. R. Civ. P. 30(b)(6) and the Order of the Honorable Henry Pitman dated November 13, 2015 (the "Respublika Deposition"), and to any audiotape or videotape recording, or transcription, of the Respublika Deposition:

- 1) The Respublika Deposition shall be recorded by videographic (including audio) and stenographic means;
- 2) Only the individuals described in the below subparagraphs shall have access to the video and audio recordings of the Respublika Deposition, and these individuals shall only access the video and/or audio recordings within the United States and the United Kingdom:
 - (a) Outside litigation counsel ("Litigation Counsel") for Plaintiff and Respublika in the above-captioned action (the "Action"), including any paralegal, clerical and/or other assistant employed by and assisting such Litigation Counsel in this Action;


- (b) Independent photocopying, graphic production services, or litigation support services employed by Litigation Counsel to assist in this action, and computer service personnel (not employees of Plaintiff) performing duties in relation to a computerized litigation system;
 - (c) The Court and its support personnel.
- 3) Only the individuals described in the below subparagraphs shall have access to the transcript of the Respublika Deposition and the content thereof:
 - (a) The Plaintiff, Respublika, and their respective officials, employees, and staff;
 - (b) The persons listed in paragraphs 2(a)-(c)
 - (c) Any person who is retained by Litigation Counsel to serve as an expert witness or consultant, provided such person has first executed a Non-Disclosure Agreement in the form annexed as Exhibit 1 hereto;
- 4) No portion of the video recording, audio recording, or transcript of the Respublika Deposition, or the content thereof, may be published or publicly disseminated in any way, and any such recording, transcript, or content thereof can only be used for purposes of the Action.
- 5) All video recording, audio recordings, and transcripts of any portion of the Respublika Deposition filed with the Court, and all portions of pleadings, motions, and other papers filed with the Court that disclose any of the contents of the Respublika Deposition, shall be filed under seal with the Clerk of the Court.
- 6) Plaintiff and Respublika may each provide a translator who will be present during the Respublika Deposition, subject to the following conditions:

- (a) The names and affiliations of any translators who will be present during the Respublika Deposition will be exchanged by Plaintiff and Respublika by February 9, 2016;
 - (b) Plaintiff's translator will have no prior affiliation with Plaintiff, and will not be an employee of the law firm of Curtis, Mallet-Prevost, Colt & Mosle LLP;
 - (c) All translators (and other persons present at the deposition) will identify themselves on the record;
 - (d) Plaintiff's translator will translate all questions and answers on the record (as well as all colloquy unless there is an agreement to go off the record) for the court reporter to transcribe, and for the video and audio systems to record;
 - (e) Respublika's translator may communicate privately with Respublika's counsel, but may not communicate with the witness other than during recesses;
 - (f) All Federal Rules of Civil Procedure (including, without limitation, Rule 30(c)(2)), and all Local Civil Rules of the United States District Court for the Southern District of New York (including without limitation, Local Civil Rule 30.4) that relate to speaking objections or to communicating with a witness during a deposition will apply to all translators;
 - (g) All objections to the accuracy of the translation of any question or answer are preserved.
- 7) This Stipulation is applicable only to the February 16, 2016 deposition of Respublika, and not to subsequent sessions (if any) of the deposition of Respublika, nor to any other deposition that may be taken in the case.

8) This Order may only be modified with the permission of the Court for cause shown.

Dated: New York, New York
February 9, 2016

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SO ORDERED:


Edgardo Ramos, U.S.D.J.
Dated: 2/11/2016
New York, New York

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE REPUBLIC OF KAZAKHSTAN,	:	
	:	
Plaintiff,	:	
	:	15 Civ. 1900 (ER)
-against-	:	EXHIBIT 1: PROTECTIVE ORDER
	:	
DOES 1-100 INCLUSIVE,	:	
	:	
Defendants.	:	
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I, _____, acknowledge that I have read and understand the Protective Order in this action. I agree that I will use any portion of the Respublika Deposition transcript, or the content thereof, solely for the prosecution or defense of this action and for no other purpose and that at the conclusion of the litigation I will return any portion of the Respublika Deposition transcript I have received to the attorney from whom I received it. In addition, I agree that I will not disclose any portion of the Respublika Deposition transcript, or the content thereof, except as authorized by the Protective Order. By acknowledging these obligations under the Protective Order, I understand that I am submitting myself to the jurisdiction of the United States District Court for the Southern District of New York for the purpose of any issue or dispute arising hereunder and that my willful violation of any term of the Protective Order could subject me to punishment for contempt of Court.

DATED: _____ [NAME]